

## THE MUNICIPAL BOARD OF MANITOBA

1144-363 Broadway Winnipeg, Manitoba • R3C 3N9

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February 23, 2012

Honourable Ron Lemieux  
Minister of Local Government  
Room 301 - Legislative Building  
Winnipeg MB R3C 0V8

Dear Minister:

In accordance with Section 106 of *The Municipal Board Act*, I am pleased to submit the Annual Report of The Municipal Board for the year ending December 31, 2011.

Yours Respectfully,

Peter G. Diamant  
Chair

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## **REMARKS FROM THE CHAIR**

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The Municipal Board is established under The Municipal Board Act and, under Section 106(1) is required to report annually to the Minister of Local Government on the activities of the Board for the previous year.

The full complement of the Board, as of December 31, 2011, is 34 Members, which includes the Chair, Vice Chair and five Acting Chairs. The Board continues its commitment to education and training for Board Members. In each of the past seven years, the Manitoba Council of Administrative Tribunals (MCAT) has held an annual conference and the conference is well attended by Board Members. MCAT also annually holds a training session for new Board Members and all new Municipal Board Members are required to attend. An annual Board meeting was held in 2011 to review the ongoing challenges facing the Board and to provide Board Members with the opportunity to meet and discuss the current issues before the Board. A stimulating presentation by Dr. Tom Carter of the University of Winnipeg on the trends and changes in Canadian society was informative and prompted a lively discussion.

A summary of the applications made to the Board over the past year is set out on page 8 of this Report. As of January 1, 2011, there were 719 outstanding applications, appeals and referrals, of which 619 were Winnipeg Assessment Appeals. During the year, 665 new matters were received and 429 matters were dealt with leaving 955 outstanding applications, appeals and referrals as of December 31, 2011.

The Board has duties and responsibilities assigned to it under a number of Acts of the Legislature. The majority of the Board's activities, however, are directed towards Assessment Appeals under The Municipal Assessment Act. Of the 1384 applications, appeals and referrals before the Board during 2011, 1247 or 90.1%, were appeals respecting the assessment and classification of property. Of those, 1018 were for properties in The City of Winnipeg.

Over the past year, the Board has noticed a decrease in the number of borrowing by-laws. There also has been a decrease in the number of assessment appeal hearings as the parties are settling many of the appeals without a hearing. In most cases, those appeals that do go to a hearing are for high-value properties and raise complex issues before the Board.

The Board has successfully completed the first general assessment with the shortened two year assessment cycle and is now preparing for the second assessment under the new legislation. The Board has experienced an increase in appeals in 2011 resulting from the first year of the assessment cycle. With the aftermath of the major flood in the spring affecting rural properties, the Board also anticipates an increase in appeals in 2012.

The number of hearings and referrals relating to The Planning Act and The Municipal Act have remained constant. The Board did not hold any inquiries of its own in 2012, nor did it issue any licences, permits or certificates. The fees collected by the Board are summarized on page 30.

In conclusion, I wish to express my thanks and appreciation to the Members of the Board for their co-operation and support. As Chair, I must acknowledge the significant role of the Administration and Staff in ensuring the Board functions smoothly and efficiently. The staff's hard work plays an important part in the Board carrying out its mandate. The Board Members and the staff are to be commended for the manner in which they have committed themselves in dealing with the challenges faced by the Board.

Peter G. Diamant  
Chair

## REMARQUES DU PRÉSIDENT

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La Commission municipale est établie en vertu de la *Loi sur la Commission municipale* et, conformément au paragraphe 106(1) de cette loi, elle doit faire rapport tous les ans au ministre des Administrations locales sur ses activités de l'année écoulée.

Au 31 décembre 2011, la Commission municipale comptait 35 membres, notamment le président, le vice-président et trois remplaçants. La Commission poursuit son investissement dans l'éducation et la formation de ses membres. Au cours de chacune des sept dernières années, le Manitoba Council of Administrative Tribunals a organisé une conférence annuelle à laquelle les membres de la Commission ont participé en bon nombre. Le Manitoba Council of Administrative Tribunals offre également chaque année une séance de formation à laquelle les nouveaux membres de la Commission municipale sont obligés de participer. La Commission a tenu son assemblée annuelle en 2011 pour examiner les défis qui se présentent à elle et fournir à ses membres l'occasion de se rencontrer et de parler des enjeux en cours. Monsieur Tom Carter, de l'université de Winnipeg, a présenté un exposé instructif et stimulant sur les tendances générales et les changements au sein de la société canadienne. Sa présentation a suscité des échanges animés.

On trouvera, à la page 8 du présent rapport, un sommaire des demandes présentées à la Commission au cours de l'année passée. Au 1<sup>er</sup> janvier 2011, 719 demandes, appels et renvois étaient en instance devant la Commission, dont 619 appels interjetés contre l'évaluation fixée par la Ville de Winnipeg. Durant l'année, la Commission a été saisie de 665 nouvelles affaires et a traité 429 demandes, ce qui a laissé en tout, au 31 décembre 2011, 955 demandes, appels et renvois en instance.

Des fonctions et des responsabilités sont conférées à la Commission par un certain nombre de lois adoptées par l'Assemblée législative. La majorité des activités de la Commission sont toutefois axées sur les appels liés à l'évaluation de biens, déposés en vertu de la *Loi sur l'évaluation municipale*. Des 1384 demandes, appels et renvois devant la Commission durant 2011, 1247, soit 90,1%, étaient des appels liés à l'évaluation et à la classification de biens. De ces appels, 1018 visaient des biens dans la ville de Winnipeg.

Au cours de l'année passée, la Commission a constaté une diminution du nombre de règlements d'emprunt. Il y a eu également une diminution du nombre d'audiences pour des appels liés à l'évaluation de biens, car les parties règlent bien des appels sans avoir recours à une audience. Dans la plupart des cas, les appels qui nécessitent une audience touchent des biens à valeur élevée et

soulèvent des questions complexes que la Commission doit traiter.

La Commission a bien terminé la première évaluation générale selon le cycle d'évaluation raccourci de deux ans, et elle se prépare maintenant en vue de la deuxième évaluation conformément aux nouvelles mesures législatives. La Commission a constaté une augmentation du nombre d'appel en 2011, occasionnée par la première année du cycle d'évaluation. La Commission s'attend à une augmentation du nombre d'appels en 2012, à la suite des inondations printanières importantes qui ont touché les propriétés rurales.

Le nombre d'audiences et de renvois liés à la *Loi sur l'aménagement du territoire* et à la *Loi sur les municipalités* est demeuré constant. En 2012, la Commission n'a pas mené d'enquêtes de son propre chef et n'a pas non plus délivré de licences, de permis ou de certificats. On trouvera à la page 30 du présent rapport le sommaire des droits perçus par la Commission.

En terminant, j'aimerais exprimer ma gratitude à tous les membres de la Commission pour leur collaboration et leur appui. En qualité de président, je me dois de saluer le rôle important joué par la direction et le personnel afin d'assurer le fonctionnement harmonieux et efficace de la Commission. C'est en grande partie grâce à leurs efforts soutenus que la Commission peut remplir son mandat. Les membres et le personnel de la Commission méritent d'être félicités pour la façon dont ils se sont attaqués aux défis auxquels la Commission a été confrontée.

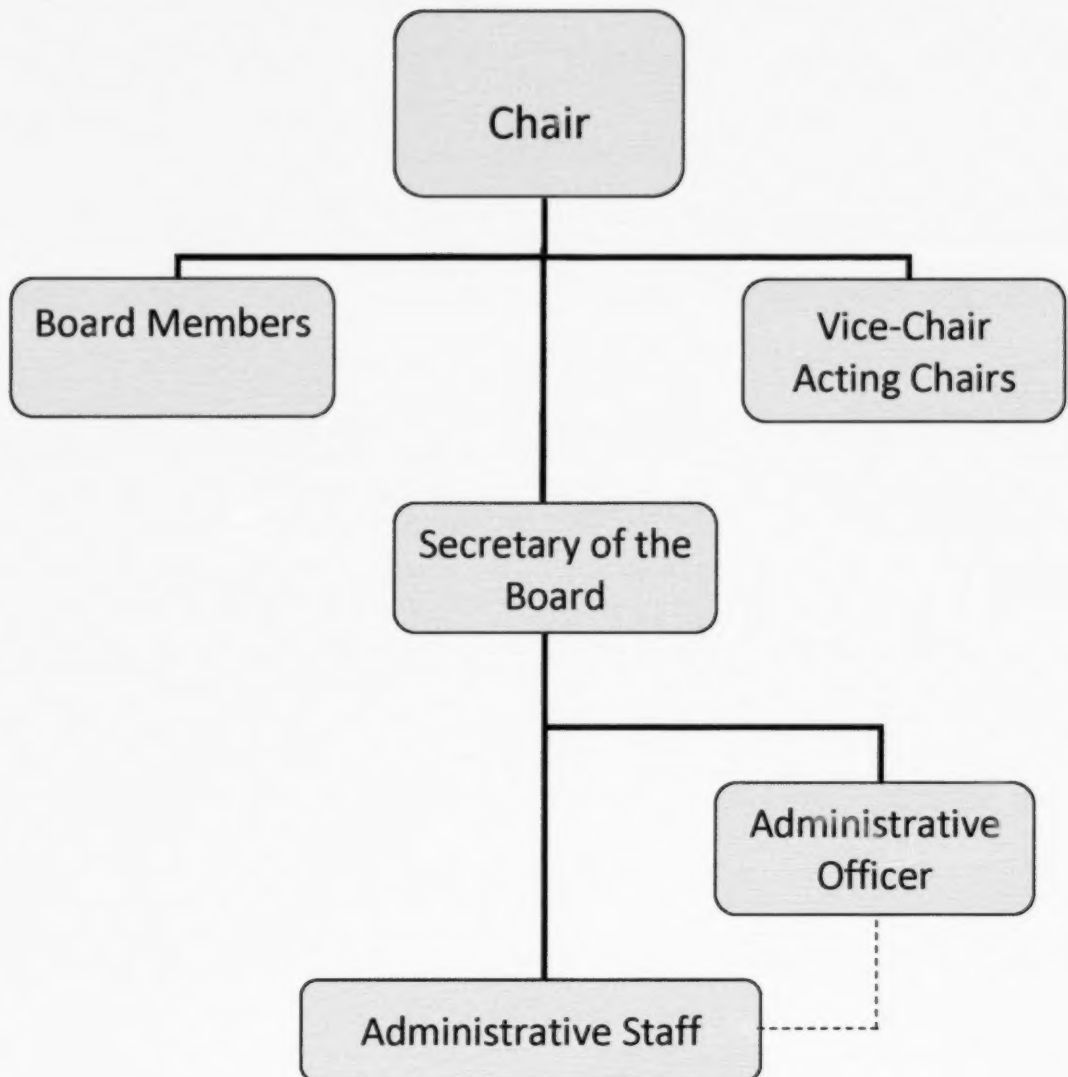
Le président,

Peter G. Diamant

## THE MUNICIPAL BOARD - ORGANIZATION CHART

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2011





# **THE MUNICIPAL BOARD OF MANITOBA**

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## **ROLE**

Section 15(2) of The Municipal Board Act states:

"The board shall sit at such times and places within the province as the chairman may designate; and it shall conduct its proceedings in such manner as may seem to it most convenient for the speedy and effectual dispatch of business".

## **MISSION STATEMENT**

To deal with matters that come before the Board in a fair, impartial and timely manner.

## **GOALS**

- To process appeals, applications and referrals as expeditiously as possible.
- To conduct hearings in accordance with legislative procedures and natural justice for all parties involved.
- To render readable, reliable and quality decisions in a timely manner.
- To communicate with the general public on the role of the Board and the appeal process.
- To review and update Board policies and procedures to ensure service is provided in a timely manner and in accordance with the applicable legislation.
- To review and update administrative procedures.



## **THE MUNICIPAL BOARD OF MANITOBA**

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Peter G. Diamant, Chair

### **MEMBERS (2011)**

Bill Barlow, Gimli  
John Blewett, Winnipeg  
Grant Buchanan, The Pas  
Gordon Daman, Niverville  
Douglas Dobchuk, Winnipeg  
Kathryn Durkin-Chudd, Gimli  
Thomas Frohlinger, Winnipeg  
Régis Gosselin, Winnipeg  
Neil Harden, Winnipeg  
Ed Hart, Minitonas  
William Hinthier, Winnipeg  
Douglas Houghton, Beausejour  
Cyril Keeper, Winnipeg  
Leonard Kimacovich, Winnipeg  
Nora Losey, Winnipeg  
Budd Mager, Lac du Bonnet

Ross Martin, Winnipeg  
Herm Martens, Rosenort  
Michael Mercury, Winnipeg  
Monique Mulaire, Winnipeg  
Jim Neil, Winnipeg  
Jack Nicol, Winnipeg  
Charlotte Onski, Winnipeg  
Arthur Proulx, Winnipeg  
Garth Rice, Brandon  
Marion Robinsong, Brandon  
John Rudyk, Fisher Branch  
Meir Serfaty, Winnipeg  
Michelle Smith, Winnipeg  
Maurice Tallaire, St. Adolphe  
Sudesh K. Treon, Winnipeg  
Marilyn Walder, Winnipeg

Tanys Björnson, Vice Chair

Rose Gibbons, Secretary of the Board

### **Employees**

Administrative Officer  
Administrative Secretary  
Administrative Secretary  
Administrative Secretary  
Administrative Secretary  
Administrative Secretary

Brenda Loewen  
Andrée-Anne Boisvert (resigned)  
Pat Markotjohn (retired)  
Adrienne Newbury  
Elaine Pociuk  
Helen Kilborne (part-time)

# **Summary of Applications, Appeals, and Referrals (2010 & 2011)**

## **Consolidated Summary of Activity**

*A summary of all Applications, Appeals, and Referrals set forth on pages 10 to 24.*

<b>APPLICATIONS, APPEALS AND REFERRALS RECEIVED</b>	<b>2010</b>	<b>2011</b>
Applications, Appeals and Referrals Outstanding as at January 1 <sup>st</sup>	981	719
New Applications, Appeals and Referrals Received	511	665
<b>Total</b>	<b>1492</b>	<b>1384</b>

<b>APPLICATIONS, APPEALS AND REFERRALS DISPOSED</b>	<b>2010</b>	<b>2011</b>
Applications Approved and Appeals Allowed/Granted	476	325
Applications Rejected and Appeals Dismissed/Rejected	32	22
Applications Referred Back to Council for Further Consideration	1	0
Reports and Recommendations Submitted	3	4
Orders Revised	1	2
Applications, Appeals and Referrals Withdrawn and/or Closed by Minute	260	76
<b>Total</b>	<b>773</b>	<b>429</b>

<b>APPLICATIONS, APPEALS AND REFERRALS OUTSTANDING AS AT DECEMBER 31<sup>ST</sup></b>	<b>719</b>	<b>955</b>
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## **Miscellaneous Acts**

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The Municipal Board has responsibilities under other Statutes, but under which it has had no applications or active files in 2011.

The Acts are as follows:

- City of Winnipeg Charter, S.M. 2002, c.39
- The Conservation Districts Act, R.S.M. 1987, c. C175
- The Expropriation Act, R.S.M. 1987, c.E190
- The Health Services Insurance Act, R.S.M. c.H35
- The Heritage Resources Act, S.M. 1985-86, c.10 - Cap. H39.1
- The Highway Traffic Act, S.M. 1985-86, c.3 - Cap. H60
- The Public Librarians Act, R.S.M. 1987, c.P250
- The Real Property Act, R.S.M. 1988, R30
- The Regional Waste Management Authorities Act, S.M. 1993, c.11 – Cap. R38
- The Water Resources Administration Act, R.S.M. 1987, c.W70

# **Summary of Applications, Appeals, and Referrals (2010 & 2011)**

## **The Municipal Act, S.M. 1996, c.58 - Cap. M225**

*Applications to amalgamate two or more municipalities or for the annexation by a municipality of land from another municipality: Section 34*

<b>APPLICATIONS OUTSTANDING AND RECEIVED</b>	<b>2010</b>	<b>2011</b>
Applications Outstanding as at January 1 <sup>st</sup>	5	2
Applications Received	0	1
<b>Total</b>	<b>5</b>	<b>3</b>

<b>APPLICATIONS DISPOSED</b>	<b>2010</b>	<b>2011</b>
Reports and Recommendations Submitted to the Minister of Local Government	2	1
Applications Withdrawn and/or Closed by Minute	1	1
<b>Total</b>	<b>3</b>	<b>2</b>

<b>APPLICATIONS OUTSTANDING AS AT DECEMBER 31<sup>ST</sup></b>	<b>2</b>	<b>1</b>
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# **Summary of Applications, Appeals, and Referrals (2010 & 2011)**

## **The Municipal Act, S.M. 1996, c.58 - Cap. M225**

*Applications for approval of borrowing: Section 172 et seq.*

<b>APPLICATIONS OUTSTANDING AND RECEIVED</b>	<b>2010</b>	<b>2011</b>
Applications Outstanding as at January 1 <sup>st</sup>	0	0
Applications Received	46	34
<b>Total</b>	<b>46</b>	<b>34</b>

<b>APPLICATIONS DISPOSED</b>	<b>2010</b>	<b>2011</b>
Applications Approved	46	33
Applications Rejected	0	0
Applications Withdrawn and/or Closed by Minute	3	1
<b>Total</b>	<b>46</b>	<b>34</b>

<b>APPLICATIONS OUTSTANDING AS AT DECEMBER 31<sup>ST</sup></b>	<b>0</b>	<b>0</b>
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# **Summary of Applications, Appeals, and Referrals (2010 & 2011)**

## **The Municipal Act, S.M. 1996, c.58 - Cap. M225**

*Applications for approval of By-laws respecting local improvements:  
Sections 311 & 320*

<b>APPLICATIONS OUTSTANDING AND RECEIVED</b>	<b>2010</b>	<b>2011</b>
Applications Outstanding as at January 1 <sup>st</sup>	4	0
Applications Received	51	36
<b>Total</b>	<b>55</b>	<b>36</b>

<b>APPLICATIONS DISPOSED</b>	<b>2010</b>	<b>2011</b>
Applications Approved	54	36
Applications Rejected	1	0
Applications Withdrawn and/or Closed by Minute	0	0
<b>Total</b>	<b>55</b>	<b>36</b>

<b>APPLICATIONS OUTSTANDING AS AT DECEMBER 31<sup>ST</sup></b>	<b>0</b>	<b>0</b>
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# **Summary of Applications, Appeals, and Referrals (2010 & 2011)**

## **The Municipal Act, S.M. 1996, c.58 - Cap. M225**

*Applications for approval of By-laws respecting Special Services: Sections 312 & 320*

<b>APPLICATIONS OUTSTANDING AND RECEIVED</b>	<b>2010</b>	<b>2011</b>
Applications Outstanding as at January 1 <sup>st</sup>	4	0
Applications Received	20	18
<b>Total</b>	<b>24</b>	<b>18</b>

<b>APPLICATIONS DISPOSED</b>	<b>2010</b>	<b>2011</b>
Applications Approved	22	18
Applications Rejected	2	0
Applications Withdrawn and/or Closed by Minute	0	0
<b>Total</b>	<b>24</b>	<b>18</b>

<b>APPLICATIONS OUTSTANDING AS AT DECEMBER 31<sup>ST</sup></b>	<b>0</b>	<b>0</b>
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# **Summary of Applications, Appeals, and Referrals (2010 & 2011)**

## **The Municipal Act, S.M. 1996, c.58 - Cap. M225**

*Application to review a By-law that divides a Municipality into Wards and establishes ward boundaries or a By-law that eliminates wards or changes the number of wards or ward boundaries. Section 89(1)*

### **APPLICATIONS OUTSTANDING AND RECEIVED**

	<b>2010</b>	<b>2011</b>
Applications Outstanding as at January 1 <sup>st</sup>	2	1
Applications Received	2	0
<b>Total</b>	<b>4</b>	<b>1</b>

### **APPLICATIONS DISPOSED**

	<b>2010</b>	<b>2011</b>
Applications Allowed	1	0
Applications Dismissed	1	0
Applications Referred back to Council for further consideration	1	0
Applications Withdrawn and/or Closed by Minute	0	0
<b>Total</b>	<b>3</b>	<b>0</b>

### **APPLICATIONS OUTSTANDING AS AT DECEMBER 31<sup>ST</sup>**

<b>1</b>	<b>1</b>
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## Summary of Applications, Appeals, and Referrals (2010 & 2011)

### The Municipal Assessment Act, S.M. 1989-90, c.24 - Cap. M226

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*Appeals respecting the assessment and classification of property in The City of Winnipeg: Section 56(2)*

<b>APPEALS OUTSTANDING AND RECEIVED</b>	<b>2010</b>	<b>2011</b>
Appeals Outstanding as at January 1 <sup>st</sup>	790	619
*Appeals Received	308	399
<b>Total</b>	<b>1098</b>	<b>1018</b>

<b>APPEALS DISPOSED</b>	<b>2010</b>	<b>2011</b>
**Appeals Allowed	297	184
Appeals Dismissed	14	15
Appeals Withdrawn and/or Closed by Minute	168	45
<b>Total</b>	<b>479</b>	<b>244</b>

<b>APPEALS OUTSTANDING AS AT DECEMBER 31<sup>ST</sup></b>	<b>619</b>	<b>774</b>
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\* Includes appeals by the Assessment and Taxation Department as well as by ratepayers.

\*\* Includes all appeals where the assessment has been increased or decreased, or the classification changed.

## Summary of Applications, Appeals, and Referrals (2010 & 2011)

### The Municipal Assessment Act, S.M. 1989-90, c.24 - Cap. M226

*Appeals respecting the assessment and classification of property outside  
The City of Winnipeg: Section 56(2)*

<b>APPEALS OUTSTANDING AND RECEIVED</b>	<b>2010</b>	<b>2011</b>
Appeals Outstanding as at January 1 <sup>st</sup>	166	86
*Appeals Received	63	143
<b>Total</b>	<b>229</b>	<b>229</b>

<b>APPEALS DISPOSED</b>	<b>2010</b>	<b>2011</b>
**Appeals Allowed	49	42
Appeals Dismissed	8	5
Appeals Withdrawn and/or Closed by Minute	86	21
<b>Total</b>	<b>143</b>	<b>68</b>

<b>APPEALS OUTSTANDING AS AT DECEMBER 31<sup>ST</sup></b>	<b>86</b>	<b>161</b>
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\* Includes appeals by the Provincial Municipal Assessor as well as by ratepayers.

\*\* Includes all appeals where the assessment has been increased or decreased, or the classification changed.

# **Summary of Applications, Appeals, and Referrals (2010 & 2011)**

## **The Municipal Board Act, R.S.M. 1987, c.M240**

*Applications to review, rescind, change, alter or vary a decision or order made by the Board: Section 46(3)*

<b>APPLICATIONS OUTSTANDING AND RECEIVED</b>	<b>2010</b>	<b>2011</b>
Applications Outstanding as at January 1 <sup>st</sup>	0	1
Applications Received	5	3
<b>Total</b>	<b>5</b>	<b>4</b>

<b>APPLICATIONS DISPOSED</b>	<b>2010</b>	<b>2011</b>
Order Revised	1	2
Applications Rejected	3	2
Applications Withdrawn and/or Closed by Minute	0	0
<b>Total</b>	<b>4</b>	<b>4</b>

<b>APPLICATIONS OUTSTANDING AS AT DECEMBER 31<sup>ST</sup></b>	<b>1</b>	<b>0</b>
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# **Summary of Applications, Appeals, and Referrals (2010 & 2011)**

## **The Municipal Board Act, R.S.M. 1987, c.M240**

*Applications to vary, cancel, or substitute a Building Restriction Caveat:  
Section 104(1) et seq.*

<b>APPLICATIONS OUTSTANDING AND RECEIVED</b>	<b>2010</b>	<b>2011</b>
Applications Outstanding as at January 1 <sup>st</sup>	2	1
Applications Received	1	4
<b>Total</b>	<b>3</b>	<b>5</b>

<b>APPLICATIONS DISPOSED</b>	<b>2010</b>	<b>2011</b>
Applications Granted	2	4
Applications Rejected	0	0
Applications Withdrawn and/or Closed by Minute	0	0
<b>Total</b>	<b>2</b>	<b>4</b>

<b>APPLICATIONS OUTSTANDING AS AT DECEMBER 31<sup>ST</sup></b>	<b>1</b>	<b>1</b>
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# **Summary of Applications, Appeals, and Referrals (2010 & 2011)**

## **The Planning Act, S.M. 2005, c.30 - Cap. P80**

*Objections to a By-law to adopt and/or amend a Development Plan or Basic Planning Statement filed with the Minister and referred to the Board: Section 30(4) et seq.*

<b>REFERRALS OUTSTANDING AND RECEIVED</b>	<b>2010</b>	<b>2011</b>
Referrals Outstanding as at January 1 <sup>st</sup>	2	2
Referrals Received	1	2
<b>Total</b>	<b>3</b>	<b>4</b>

<b>REFERRALS DISPOSED</b>	<b>2010</b>	<b>2011</b>
Reports and Recommendations Submitted to the Minister of Local Government	1	3
Referrals Withdrawn and/or Closed by Minute	0	0
<b>Total</b>	<b>1</b>	<b>3</b>

<b>REFERRALS OUTSTANDING AS AT DECEMBER 31<sup>ST</sup></b>	<b>2</b>	<b>1</b>
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# **Summary of Applications, Appeals, and Referrals (2010 & 2011)**

## **The Planning Act, S.M. 2005, c.30 - Cap. P80**

*Applications for approval of Zoning By-laws: Section 43(1) et seq.*

<b>APPLICATIONS OUTSTANDING AND RECEIVED</b>	<b>2010</b>	<b>2011</b>
Applications Outstanding as at January 1 <sup>st</sup>	1	2
Applications Received	5	5
<b>Total</b>	<b>6</b>	<b>7</b>

<b>APPLICATIONS DISPOSED</b>	<b>2010</b>	<b>2011</b>
Applications Approved	2	5
Applications Rejected	0	0
Applications Withdrawn and/or Closed by Minute	2	1
<b>Total</b>	<b>4</b>	<b>6</b>

<b>APPLICATIONS OUTSTANDING AS AT DECEMBER 31<sup>ST</sup></b>	<b>2</b>	<b>1</b>
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# **Summary of Applications, Appeals, and Referrals (2010 & 2011)**

## **The Planning Act, S.M. 2005, c.30 - Cap. P80**

*Appeals from decisions of the Approving Authority (subdivision of land):  
Section 129(1) et seq.*

<b>APPEALS OUTSTANDING AND RECEIVED</b>	<b>2010</b>	<b>2011</b>
Appeals Outstanding as at January 1 <sup>st</sup>	3	2
Appeals Received	8	17
<b>Total</b>	<b>1</b>	<b>19</b>

<b>APPEALS DISPOSED</b>	<b>2010</b>	<b>2011</b>
Appeals Allowed	3	2
Appeals Dismissed	3	0
Appeals Withdrawn and/or Closed by Minute	3	5
<b>Total</b>	<b>9</b>	<b>7</b>

<b>APPEALS OUTSTANDING AS AT DECEMBER 31<sup>ST</sup></b>	<b>2</b>	<b>12</b>
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# **Summary of Applications, Appeals, and Referrals (2010 & 2011)**

## **The Water Rights Act, R.S.M. 1988, c.W80**

*Appeals against an order or decision of the Minister under this Act: Section 24*

<b>APPEALS OUTSTANDING AND RECEIVED</b>	<b>2010</b>	<b>2011</b>
Appeals Outstanding as at January 1 <sup>st</sup>	2	3
Appeals Received	1	2
<b>Total</b>	<b>3</b>	<b>5</b>

<b>APPEALS DISPOSED</b>	<b>2010</b>	<b>2011</b>
Appeals Allowed	0	0
Appeals Dismissed	0	0
Appeals Withdrawn and/or Closed by Minute	0	2
<b>Total</b>	<b>0</b>	<b>2</b>

<b>APPEALS OUTSTANDING AS AT DECEMBER 31<sup>ST</sup></b>	<b>3</b>	<b>3</b>
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# **Summary of Applications, Appeals, and Referrals (2010 & 2011)**

## **The Public Libraries Act, R.S.M. 1987, c.P250**

*Applications for the authorization of municipal By-laws establishing  
Regional Public Libraries: Section 22(2)*

<b>APPLICATIONS OUTSTANDING AND RECEIVED</b>	<b>2010</b>	<b>2011</b>
Applications Outstanding as at January 1 <sup>st</sup>	0	0
Applications Received	0	0
<b>Total</b>	<b>0</b>	<b>0</b>

<b>APPLICATIONS DISPOSED</b>	<b>2010</b>	<b>2011</b>
Applications Approved	0	0
Applications Rejected	0	0
Applications Withdrawn and/or Closed by Minute	0	0
<b>Total</b>	<b>0</b>	<b>0</b>

<b>APPLICATIONS OUTSTANDING AS AT DECEMBER 31<sup>ST</sup></b>	<b>0</b>	<b>0</b>
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# **Summary of Applications, Appeals, and Referrals (2010 & 2011)**

## **The Special Survey Act, R.S.M. 1987, c.S190**

### *Complaints against Plan of Special Survey: Section 6*

<b>APPLICATIONS OUTSTANDING AND RECEIVED</b>	<b>2010</b>	<b>2011</b>
Applications Outstanding as at January 1 <sup>st</sup>	0	0
Applications Received	0	1
<b>Total</b>	<b>0</b>	<b>0</b>

<b>APPLICATIONS DISPOSED</b>	<b>2010</b>	<b>2011</b>
Applications Approved	0	1
Applications Dismissed	0	0
Applications Withdrawn and/or Closed by Minute	0	0
<b>Total</b>	<b>0</b>	<b>1</b>

<b>REFERRALS OUTSTANDING AS AT DECEMBER 31<sup>ST</sup></b>	<b>0</b>	<b>1</b>
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## **Capital Borrowing Of Local Authorities**

*The 2011 Municipal borrowing activity decreased by 30% in terms of the number of applications received and decreased (80%) in the dollar amount borrowed. Borrowing purposes for the two years are summarized as follows:*

<b>NEW APPLICATIONS</b>	<b>2010</b>	<b>2011</b>
New Applications	96	67
Borrowing Authorized		
Water and Sewer	\$64,870,023	\$11,124,138
Streets, Sidewalks, Lighting	3,094,000	4,029,440
Municipal Buildings, Libraries, Community Centres, Arenas	37,135,778	3,725,000
Machinery and Equipment	2,262,110	3,221,658
Natural Gas	0	0
Land Purchases and Development	649,869	580,000
Other/Multiple Projects	3,175,000	500,000
<b>TOTAL</b>	<b>\$111,186,780</b>	<b>\$23,180,236</b>

Details of the amounts of borrowing authorized for each individual municipality are shown on pages 27 to 29 (City of Winnipeg borrowing, which is not subject to Municipal Board approval, is not included in the above figures).

The amounts of debentures issued and marketed in 2011 as compared to 2010 are summarized as follows:

<b>PURCHASER</b>	<b>2010</b>	<b>2011</b>
Credit Unions	\$9,372,072	\$5,191,282
Banks	13,723,532	28,188,069
General Public	200,000	0
Fiscal Agent	1,170,830	14,282,159
Municipal Reserve Funds	1,878,665	805,967
Minister of Finance	8,470,652	19,045,137
<b>TOTAL</b>	<b>\$34,815,751</b>	<b>\$67,512,614</b>

The interest rates payable by municipalities on debentures issued in 2011 have decreased slightly with 2010 rates. A comparison of average interest rates, weighted according to each class of purchaser is summarized as follows:

<b>PURCHASER</b>	<b>2010</b>	<b>2011</b>
Credit Unions	4.64%	4.68%
Banks	4.71%	4.47%
General Public	5.00%	N/A
Fiscal Agent	5.02%	4.30%
Municipal Reserve Funds	5.10%	3.58%
Minister of Finance	5.15%	4.35%

The Municipal Board issued a total of 203 Board Orders with respect to borrowing By-laws. These Board Orders authorized, but were not limited to, the following:

- a) authorization of certain projects and the borrowing of monies;
- b) the issuance of debentures;
- c) the reduction or increase of the authorized borrowing; and
- d) the cancellation of authorized but unissued borrowing.

## Municipal Borrowing By-Laws Authorized In 2011

Local Authority	Board Order No.	Rate	Term Years	Water & Sewer	Municipal Building, etc.	Land Purchase & Development	Roads/Paving	Machinery & Equipment	Other Projects	Multiple Projects
Arborg, Town	E-11-084	6	3		-	-	-	60,000	-	-
Arthur, RM	E-11-201	7.05	15	238,000	-	-	-	-	-	-
Arthur, RM	E-11-202	7.05	15	162,000	-	-	-	-	-	-
Beausejour, Town	E-11-150	8	7		-	-	90,000	-	-	-
Benito, Village	E-11-137	4.9	20		120,000	-	-	-	-	-
Bilrost, RM	E-11-178	2.5	3		-	-	-	90,000	-	-
Brenda, RM	E-11-031	5	10	170,000	-	-	-	-	-	-
Brokenhead, RM	E-11-117	5.275	15		175,000	-	-	-	-	-
Brokenhead, RM	E-11-138	5	10		125,000	-	-	-	-	-
Carberry, Town	E-11-023	5	3		-	-	-	237,500	-	-
Carman, Town	E-11-111	4.5	3	650,000	-	-	-	-	-	-
Clanwilliam, RM	E-11-154	3.85	2		-	-	-	130,327	-	-
Dauphin, City	E-11-153	6	5		-	-	-	251,500	-	-
Dufferin, RM	E-11-017	7.5	5	123,807	-	-	-	-	-	-
Dufferin, RM	E-11-045	6	10	67,400	-	-	-	-	-	-
Dufferin, RM	E-11-099	6.5	10	196,200	-	-	-	-	-	-
Dufferin, RM	E-11-102	6.5	10		86,000	-	-	-	-	-
Dufferin, RM	E-11-193	6.5	10	18,500	-	-	-	-	-	-
Dufferin, RM	E-11-196	6.5	10	17,000	-	-	-	-	-	-
Dunnottar, Village	E-11-119	2.25	20	200,000	-	-	-	-	-	-
Elton, RM	E-11-131	7	20	300,000	-	-	-	-	-	-
Erickson, Town	E-11-112	3.33	3		-	-	-	30,000	-	-
Erickson, Town	E-11-162	3.21	5		-	-	-	130,327	-	-
Flin Flon, City	E-11-042	5.12	10		-	-	-	317,596	-	-
Franklin, RM	E-11-071	4.5	3		-	-	-	125,000	-	-
Glenella, RM	E-11-098	8	5		-	-	-	90,000	-	-
Grand Rapids, Town	E-11-120	6	10		-	-	-	200,000	-	-
Hanover, RM	E-11-079	8	5		-	-	58,440	-	-	-
Killarney-Turtle Mountain, Municipality	E-11-123	5	10		-	-	60,000	-	-	-



## Municipal Borrowing By-Laws Authorized In 2011

Local Authority	Board Order No.	Rate	Term Years	Water & Sewer	Municipal Building, etc.	Land Purchase & Development	Roads/Paving	Machinery & Equipment	Other Projects	Multiple Projects
Lac du Bonnet, RM	E-11-109	3.85	5		-	-	-	179,295	-	-
Lawrence, RM	E-11-101	6.5	20	460,000	-	-	-	-	-	-
McCreary, Village	E-11-130	8	20		-	-	-	-	150,000	-
Montcalm, RM	E-11-147	3.75	4		-	-	260,000	-	-	-
Morris, Town	E-11-133	5	10	750,000	-	-	-	-	-	-
North Cypress, RM	E-11-018	6	10	400,000	-	-	-	-	-	-
North Norfolk, RM	E-11-037	6	10	281,000	-	-	-	-	-	-
Portage la Prairie, RM	E-11-148	7	10	382,335	-	-	-	-	-	-
Rhineland, RM	E-11-078	6	15	650,000	-	-	-	-	-	-
Rivers, Town	E-11-161	6	10		-	580,000	-	-	-	-
Roland, RM	E-11-026	6.5	10	32,000	-	-	-	-	-	-
Rosburn, Town	E-11-173	6	10	127,000	-	-	-	-	-	-
Shoal Lake, RM	E-11-049	8	15	389,910	-	-	-	-	-	-
Snow Lake, Town	E-11-195	7	20	800,000	-	-	-	-	-	-
Springfield, RM	E-11-166	6.5	3	2,160,000	-	-	-	-	-	-
St Clements, RM	E-11-040	6.5	20		-	-	-	-	110,000	-
St Clements, RM	E-11-061	6.5	20		-	-	-	-	240,000	-
St Pierre-Jolys Village	E-11-114	6.25	5		-	-	-	15,000	-	-
St Pierre-Jolys Village	E-11-115	6.25	5		-	-	-	22,000	-	-
Stanley, RM	E-11-083	5.31	20		-	-	432,000	-	-	-
Stanley, RM	E-11-094	4.375	10	89,000	-	-	-	-	-	-
Stanley, RM	E-11-124	5.8	10	100,000	-	-	-	-	-	-
Ste Rose, RM	E-11-100	5	10		125,000	-	-	-	-	-
Steinbach, City	E-11-168	7	5		-	-	2,354,000	-	-	-
Steinbach, City	E-11-181	7	5		-	-	550,000	-	-	-
Steinbach, City	E-11-191	7	5	250,000	-	-	-	-	-	-
Steinbach, City	E-11-192	7	5	520,000	-	-	-	-	-	-
Stonewall, Town	E-11-034	6	10	1,101,000	-	-	-	-	-	-

## Municipal Borrowing By-Laws Authorized In 2011

Local Authority	Board Order No.	Rate	Term Years	Water & Sewer	Municipal Building, etc.	Land Purchase & Development	Roads/Paving	Machinery & Equipment	Other Projects	Multiple Projects
Swan River, Town	E-11-142	6.5	20		2,400,000	-	-	-	-	-
Thompson, City	E-11-170	7	5		-	-	-	401,859	-	-
Thompson, City	E-11-171	7	10		-	-	-	472,038	-	-
Thompson, City	E-11-172	7	10		-	-	-	469,216	-	-
Thompson, City	E-11-174	7	15		560,000	-	-	-	-	-
Thompson, City	E-11-175	6	5		134,000	-	-	-	-	-
Virden, Town	E-11-141	5	5		-	-	225,000	-	-	-
Whittemouth, RM	E-11-096	7	10	37,083	-	-	-	-	-	-
Whittemouth, RM	E-11-129	7	15	329,767	-	-	-	-	-	-
Whittemouth, RM	E-11-163	7	15	122,136	-	-	-	-	-	-
<b>Total</b>				<b>\$11,124,138</b>	<b>\$3,725,000</b>	<b>\$580,000</b>	<b>\$4,029,440</b>	<b>\$3,221,658</b>	<b>\$500,000</b>	<b>\$0</b>

**Revenue for the 12 Month Period Ending  
December 31, 2011  
(Unaudited)**

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<b>REVENUE</b>	<b>2010</b>	<b>2011</b>
The Municipal Act	\$ 40,696.00	\$ 43,560.00
* The Municipal Assessment Act	76,679.80	43,874.00
The Planning Act	2,692.00	1300.00
Miscellaneous Acts	150.00	300.00
Distribution of Board Orders, Xerox Recoveries, etc.	5,563.90	2500.06
GST	281.09	63.37
<b>Total Revenue</b>	<b>\$ 126,162.79</b>	<b>\$ 91,597.43</b>
Less Refunds	(45,904.22)	(32,893.00)
<b>Net Revenue</b>	<b>\$ 80,258.57</b>	<b>\$ 58,704.43</b>

- \* This revenue is subject to Section 57(4) of *The Municipal Assessment Act* which requires the refund of fees to successful Appellants.